



# **NIQAB: FARD OR SUNNAH?**

**Explaining The Hujja Of Those Who Allow Face  
And Hands To Be Revealed Versus Those Who  
Disallow – Clearly An Issue Of Halaal and  
Haraam**

Clarifying the Misconceptions (*Shubuhah*)

**Compiled By;  
Abu Rawdha**

بسم الله الرحمن الرحيم

على الله توكلت، وهو حسبي ونعم الوكيل

إن الحمد لله نحمده ونستعينه ونستغفره، ونعوذ بالله من شرور أنفسنا ومن سيئات أعمالنا، من يهده الله فلا مضل له، ومن يضلل فلا هادي له.

وأشهد أن لا إله إلا الله وحده لا شريك له، وأشهد أن محمداً عبده ورسوله.

(يَا أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ حَقَّ تُقَاتِهِ وَلَا تَمُوتُنَّ إِلَّا وَأَنتُمْ مُسْلِمُونَ) آل عمران:102.

(يَا أَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ وَخَلَقَ مِنْهَا زَوْجَهَا وَبَثَّ مِنْهُمَا رِجَالًا

كَثِيرًا وَنِسَاءً وَاتَّقُوا اللَّهَ الَّذِي تَسَاءَلُونَ بِهِ وَالْأَرْحَامَ إِنَّ اللَّهَ كَانَ عَلَيْكُمْ رَقِيبًا) النساء:1.

( يَا أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ وَقُولُوا قَوْلًا سَدِيدًا . يُصْلِحْ لَكُمْ أَعْمَالَكُمْ وَيَغْفِرْ لَكُمْ ذُنُوبَكُمْ وَمَنْ يُطِيعِ اللَّهَ وَرَسُولَهُ فَقَدْ فَازَ فَوْزًا عَظِيمًا ) الأحزاب:70-71

أما بعد:

فإن أصدق الحديث كتابُ الله، وخير الهدي هدي محمد صلى الله عليه وسلم، وشرُّ الأمور محدثاتها، وكلُّ مُحدثة بدعة، وكل بدعة ضلالة، وكل ضلالة في النار.

Explaining The Hujja Of Those Who Allow Face And Hands To Be Revealed  
Versus Those Who Disallow – Clearly An Issue Of Halaal and Haraam

# Clarifying the Misconceptions (Shubuhath)

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# Clarifying the Misconceptions (Shubuhahat)

## CHAPTER ONE

### THE RESPONSES BY THOSE WHO DISALLOW TO THOSE WHO ALLOW

1. Their response to the interpretation of the the words [“**except that only which is apparent**”] by ibn Abbas<sup>1</sup>: that “*it is the face and hands*” are:
  - i. That the ayah is from Noor (v.24:31), but the ayah mentioning *niquaab* was in al ahzaab (v. 33:59). It is believed to be an ayah before the latter (therefore they view that the *hukm* of it is abrogated).
  - ii. That Ibn Abbas’ tafseer of the ayah is not a *Hujjah* (proof or evidence) and that it can only be regarded as a *hujjah* if there is no contradiction (ta’aruz) to his view by another companion. And Ibn Masood<sup>2</sup> viewed [“**except that only which is apparent**”] as *those parts which cannot be uncovered like the dress*. And that means a cloak which covering the entire body including the head, face and hands<sup>3</sup>. Therefore these two tafseer’s contradicts and the *hujjah* is nullified.
  - iii. Ibn Jarir (*Rahimahullah*) with an authentic chain of narrators has quoted Ibn Abbaas' (*Radhiallaahu Ánhu*) opinion was "**that the Muslim women are ordered to cover their head and faces with outer garments except for one eye.**"<sup>4</sup>. The Tabiee Ali Bin Abu Talha

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<sup>1</sup> Ibn Ábbaas (Radhiallaahu Ánhu), who was one of the most knowledgeable companions of Prophet (Sallallaahu Álayhi Wasallam) who even made prayer for him saying "*O Allaah, make him acquire a deep understanding of the religion of Islaam and instruct him in the meaning and interpretation of things.*"

<sup>2</sup> Abdullah Ibn Mas'ud (Radhiallaahu Ánhu) Who was known as the most knowledgeable Sahaabi in matters of Sharee'ah. He became Muslim when he was a young kid and ever since that he stayed with Prophet (Sallallaahu Álayhi Wasallam) and gained the understanding of Qur'ân from him. Umar Ibn Khattab (Radhiallaahu Ánhu) said about him "By Allaah, I don't know of any person who is more qualified in the matters dealing with the Qur'ân than Abdullah Ibn Mas'ud"

<sup>3</sup> (Quoted from Ibn Taymiyyah (Rahimahullaah) in his book on fatwaas Page# 110 Vol # 2 and By Shaikh Ibn Uthaymeen in the book Hijaab Page # 15)

<sup>4</sup> (This is quoted in the *Ma'riful Qur'an in the tafseer of Surah Ahzaab ayah # 33, with reference of Ibn Jarir with a sahih chain of narrators*)

explained that this was the last opinion of Ibn Abbaas and the other opinions quoted from him were from before Surah Al-Ahzaab, Verse #59 and the order of the "Jalabib". Ibn Uthaymeen commented on this saying of Ibn Abbaas (Radhiallaahu Ánhu) by saying "This statement is "Marfoo" and in Sharee'ah that is the same category as a hadeeth which is narrated directly from Rasulullaah (Sallallaahu Álayhi Wasallam). The quote of Ibn Abbaas is quoted by many tabi'een like Ali Ibn Abu Talha and Ibn Jarir in Ma'riful Qur'ân by Mufti Muhammad Shafi vol.7 pg.217 and also in Tafseer Ibn Jarir, Vol. 22, pg.29 and also by Imaam Qurtubi all with SAHIH Chains and explained in the book "Hijaab" by Ibn Uthaymeen, Page # 9 and authenticated in the book "Hijaab wa Safur" by Shaikh-ul-Islam Ibn Taymiyyah (Rahimahullaah) on page #11 and by bin Baaz (Rahimahullaah) on page # 55 and 60 )

2. Their responses to the hadeeth from Aisha (abu Dawood) about the situation when the ukht of Aisha – Asmaa bint Abee Bakr; came to Rasulullaah (sAw) while wearing thin clothing. He approached her and said: “ 'O Asmaa! When a girl reaches the menstrual age, it is not proper that anything should remain exposed except this and this. He pointed to the face and hands”.
- i. First response is that the hadeeth is weak (*daeef*).  
The chain (sanad) is not complete (munqatiu). There is no link between Ayesah (ra) and Khalid bin Dareek, who narrated the hadith from her. And in every chain of narrators Khalid bin Dareek is mentioned.. It is well known he haven't heard from (or met) her.  
And also in the chain is Saeed bin Basheer, he is considered to be weak by most of the *Muhaditheen*<sup>5</sup> including the two “mounts” of the *ilm* of *jarh wa tadeel*; Imaam Ahmad and Ibn Mualla.
- ii. Even if it is considered to be saheeh, it must be considered as a hadeeth before the revelation of the ayah regarding niqaab. Becase the daleels regarding the niqaab as Waajib is considered to be proofs from the basis (asl). And hence they are given precedence.
- iii. The other response which shows the weakness of the hadeeth is that the first *saheeh* hadeeth (Where she said that they cover their faces from

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<sup>5</sup> This has been mentioned by Imaam Ahmad bin Hanbal (Rahimahullah), An-Nasai (Rahimahullah), Ibn Madeeni (Rahimahullah) and Ibn Ma'een (Rahimahullah). This is also why Imaam Bukhari (Rahimahullah) and Muslim (Rahimahullah) did not except this hadeeth to be in their books. (See the book "Hijaab" pages # 17 and 18, ibn Utheymeen). We also have to see that the Muhadith Abu Dawood when he quoted this hadeeth put with it that it is Mursal (with a broken chain that does not lead up to the Sahabah). See “Hijaab wa Safur” under the fatwaa of Bin Bazz on Page #61. Also stated as being weak by Al-Albaani in his Daeef Sunan Abu Dawud in Kitab-ul-Libas under hadeeth number 4092 (which is the original hadeeth number.) It has also been mentioned in the magazine called "Al Hijrah" that Ulama agree this hadeeth is weak.)

men).from Asmaa invalidates this latter weak hadeeth. Also when the ayah for hijab (AlAhzaab v.59) was revealed then the women of Sahaba wore a complete veil and covered the faces and hands. This includes Asmaa (ra) the daughter of Abu Bakr, who is supposed to have narrated the weak hadeeth they refer. Asmaa (ra) covered herself completely including the face, this has been narrated in authentic hadeeth in Imaam Malik's "MUWATTA: Yahya related to me from Malik from Hisham ibn Urwa that Fatima bint al-Mundhir said, *"We used to veil our faces when we were in ihram in the company of Asma bint Abi Bakr as-Siddiq."* [Imaam Malik's MUWATTA Book 20 Hadith # 20.5.16]

3. Their third daleel is from saheeh bukhari, where the akh of ibn Abbas – Fadl looked at a women and she too looked at his and that Prophet (sAw) turned Fadl's head to the other side. They say that from this there is proof that this woman didn't wear niqaab. The response is that by not accepting the act of Fadl – the proof from this hadeeth is that it is haraam to look strangers.

If they question about ordering the woman to where niqaab, the response may be such as she may be a mahram or that this may be a hadeeth before the ayah regarding niqaab. The point here is that this is cannot be regarded an evidence.

4. Another hadeeth they bring from bukhari is during an eid prayer while giving advice nabi (sAw) went to the women jamaAh present, and gave naseehah regarding giving sadaqah for they are more in the fire, and a woman who haven't covered her face stood up and asked why?.

They say that this is proof regarding that she hasn't worn niqaab.

The response is that this female if an old woman, and it (uncovering the face) is allowed to her. Or that this ayah was before the ayah regarding niqaab. Becase the ayah regarding niqaab is in ahzaab and ahzaab was in 5<sup>th</sup> Hijra, but Eid was decreed 2<sup>nd</sup> Hijra.

So they say that the hukm (waajib) regarding the niqaab is from *asl*<sup>6</sup> (basis) there that which is from the *asl* is superior as considered by the *usooliyyoon* (usool fiqh aalims)

## Other Points Supporting Obligation Include

### 1. Reagarding the Verse 24:31 :

The command to protect the private parts include prohibition of the acts (*waseel*) leading to “un” protection of these private parts. And uncovering the face is a reason of staring.

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<sup>6</sup> Which means the hukm of waajib is derived from the asl of deen Quraan (and Sunnah) but the daleels against purely from Quraan and Sunnah, but just “this might that might” and other sayings and words of scholars.

Covering from khimaar, also includes that of face, i.e. it is included in the reasons (lavaazim), and covering the face is befitting (aula) than the necks and the bosoms. Because when some one questions about the beauty of a person he questions about his/her face; if or when he feels (ihsaas) the beauty of face he moves on to others.

Prohibition of to stamping their feet is because of the act attracting the male by means of adornment (jewelry) or sound, and what do we consider about revealing (kashf) of the most attractive part of a human – face.

It is prohibited to display beauty/adornment/tabarruj(self display)

## **2. Regarding the Verse 24:60 :**

The old women are allowed not to wear jilbaab, this shows the difference in hukm regarding the old weak, who are free from desire and those young with beauty desire etc.

Ibn Abbas say that Allah have commanded the muslim women to wear jilbaab, and some scholars even consider that these words are in accordance (*marfoou*) with the hukm of Nabi (sAw). Also his saying includes covering except one eye, and that it is allowed to reveal (one eye) in necessity, and that jilbaab is a ridhaa worn over khimaar like a jubba.

## **3. Regarding: Ahzaab Verse 59, Ahzaab Verse 53**

Narrated Safiya bint Shaiba: 'Aisha (Radhiallaahu Ánha) used to say: "When (the Verse): "They should draw their veils over their necks and bosoms," was revealed, (the ladies) cut their waist sheets at the edges and covered their faces with the cut pieces."<sup>7</sup>

*Imaam Malik's MUWATTA Book 20 Hadith # 20.5.16*; Yahya related to me from Malik from Hisham ibn Urwa that Fatima bint al-Mundhir (*Radhiallaahu Ánha*) said, "We used to veil our faces when we were in Ihram in the company of Asma bint Abi Bakr As-Siddiq (*Radhiallaahu Ánha*)." This again proves that not only the wives of Rasulullaah (*Sallallaahu Álayhi Wasallam*) wore the Niquaab and that even though in Ihram women are not supposed to wear Niquaab but if men are there they still have to cover the face.

Qurtubi and others say regarding the above verses that they are referred to every muslima and that it is not specific.

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<sup>7</sup> [Sahih Al-Bukhari Volume 6, Book 60, Hadith # 282].

#### 4. Other Ahadith and View from Sahaba:

*Abu Dawood Book 33, Hadith # 4154, Agreed upon by Nasai:* Aa'ishah (Radhiallaahu Ánha) narrates that on one occasion a female Muslim wanted to give a letter to the Holy Prophet (*Sallallaahu Álayhi Wasallam*), the letter was delivered to the Holy Prophet (*Sallallaahu Álayhi Wasallam*) from behind a curtain.<sup>8</sup>

Tirmidhi with a SAHIH chain reports..."Rasulullaah (*Sallallaahu Álayhi Wasallam*) said "All of a woman is 'awrah." (Shaikh Muhammed Salih Al-Munajjid quotes this hadeeth narrated by Tirmidhi with a sahih isnaad and says this is a direct hadeeth from Rasulullah (*Sallallaahu Álayhi Wasallam*) and has made it clear that a woman must cover everything including the face and hands!)

Narrated Aisha, Ummul Mu'minin: (Radhiallaahu Ánha) who said, "The riders would pass us while we were with the Messenger of Allah (*Sallallaahu Álayhi Wasallam*). When they got close to us, we would draw our outer cloak from our heads over our faces. When they passed by, we would uncover our faces. ] Recorded by Abu Dawud Book 10, Hadith # 1829: Ahmad, Abu Dawud and Ibn Majah have all narrated it , Narrated 'Aisha. [In his work *Jilbab al-Marah al-Muslimah*, al-Albani states (p. 108) that it is hasan due to corroborating evidence. Also, in a narration from Asma {who was not the wife of Rasulullah(*Sallallaahu Álayhi Wasallam*)}, Asma also covered her face at all times in front of men.]

Abu Ubaidah Salmani (*Radhiallaahu Ánhu*), an other well known Sahabi is quoted saying "Jilbaab should fully cover the women's body, so that nothing appears but one eye with which she can see." (Tafseer Al-Qurtubi) Ubaida bin Abu Sufyan bin al-Harith ('*Radhiallaahu Ánhu*' An' Other well known and knowledgeable Companion of Rasulullaah) Imaam Muhammad bin Sirin (*Rahimahullah*) One of the most knowledgeable tabi'een) said "When I asked Ubaida bin Sufyan bin al-Harith ('*Radhiallaahu An'hu*') how the jalbaab was to be worn, he demonstrated it to me by pulling a sheet of cloth over his head to cover his entire body, leaving the left eye uncovered. This was also the explanation of the word 'Alaihinna in this verse" See Commentary by Ibn Jarir and Ahkam-ul-Quran, Vol.3, p.457 .

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<sup>8</sup> Note: Quoted in the famous book Mishkaat. Here the Mufasereen of hadeeth have explained that the hadeeth where women came up to Rasulullaah (*Sallallaahu Álayhi Wasallam*) face to face were before the ayah "**And when you ask (his wives) for anything you want, ask them from behind a screen, that is purer for your hearts and for their hearts.**" (Surah AlAhzâb ayah # 53) And this hadith proves this order is for the whole Ummah not just for the wives of Rasulullaah (*Sallallaahu Álayhi Wasallam*)!



Ayeshah (*Radhiallaahu Ánha*) Stated that in verse 30 and 31 of Surah An Noor "What has been allowed to be shown is the hands, bangles and rings but the face must be covered. (Quoted in the book *Purdah* P# 195 (Maudoodi) and in his Tafseer of Qur'ân under the tafseer of Surah An Noor)

Abdullah Ibn Mas'ud (*Radhiallaahu Ánhu*) Explained, the word *Jilbaab* (as mentioned in the Qur'ân Surah Ahzaab ayah # 59 ) means a cloak which covering the entire body including the head, face and hands. (Quoted from Ibn Taymiyyah (*Rahimahullaah*) in his book on fatwaas Page# 110 Vol # 2 and By Shaikh Ibn Uthaymeen in the book *Hijaab* Page # 15)

Ibn Abbaas' (*Radhiallaahu Ánhu*) opinion was "that the Muslim women are ordered to cover their head and faces with outer garments except for one eye." (*This is quoted in the Ma'riful Qur'an in the tafseer of Surah Ahzaab ayah # 33, with reference of Ibn Jarir with a sahih chain of narrators*).

## 5. Quotations from Tab'een

**Hassan Al-Basri** (*Rahimahullah*)

In the tafseer of the Surah An-Nur, "What a woman is allowed to show in this Ayah implies to those outer garments (not the face or hands) which the woman puts on to cover her internal decoration (her beauty). (Quoted in the book "Purdah" P#194 )

**Ibn Jarir** (*Rahimahullah*) Quotes the opinion of Ibn Ábbaas (*Radhiallaahu Ánhu*) "Allaah has enjoined upon all Muslim Women that when they go out of their homes under necessity, they should cover their faces by drawing a part of their outer garments over their heads." (Tafseer Ibn Jarir, VOL 22, pg.29)

The Tabi'ee, **Qatadah** (*Rahimahullah*) Stated that the *Jilbab* should be wrapped and fixed from above the forehead and made to cover the nose, (although the eyes are to show) and the chest and most of the face are to be covered.

The Tabi'ee **Ali bin Abu Talha** (*Rahimahullah*) Quotes from Ibn Abbaas (*Radhiallaahu Ánhu*) that he used to say it was allowed to show the hands and face when Surah Noor ayah #31 was revealed but after Surah Al-Ahzaab, Verse #59 with the word "*Jalabib*" was revealed then after this Ibn Abbaas (*Radhiallaahu Ánhu*) said that That the Muslim women are ordered to cover their head and faces with outer garments except for one eye." And this was also the opinion of Ibn Mas'ud (*Radhiallaahu Ánhu*). (This is quoted by Ibn Taymiyyah (*Rahimahullaah*) in his book of fatwaa and by Shaikh Abdul Aziz Bin Baaz (*Rahimahullaah*) in the book "*Hijaab wa Safur*" Page # 60)

**Imam Muhammad bin Sirin** (Rahimahullah) One of the most knowledgeable tabi'een) "When I asked Ubaida bin Sufyan bin al-Harith ('Radhiallaahu Ánhu' Other well known and knowledgeable Companion of Rasulullaah) the meaning of this verse about "Alaihinna" and how the jalbaab was to be worn, he demonstrated it to me by pulling a sheet of cloth over his head to cover his entire body, leaving the left eye uncovered. This was also the explanation of the word 'Alaihinna in this verse"(Commentary by Ibn Jarir and Ahkam-ul-Quran, Vol # 3, p.457 also in "hijaab wa Sufor" quoted by Shaikh AbdulAziz Bin Bazz under the chapter of his fatwaa on hijab on page #54)

## **6. From The Mufasireen Of Quraan...**

The Mufasssir, **Imaam Al-Qurtubi** (Rahimahullah), Cites in his Tafseer of the Ayah on Jilbaab (Al-Ahzab 33:59), that the Jilbaab is: "a cloth which covers the entire body... Ibn 'Abbaas (Radhiallaahu Ánhu) and 'Ubaidah As-Salmaani (Radhiallaahu Ánhu) said that it is to be fully wrapped around the women's body, so that nothing appears but one eye with which she can see." (Tafseer Al-Qurtubi Surah Al-Ahzab ayah # 59. This was also agreed upon by **Imaam Wahidi**, **Imaam Neishapuri** in the book of tafseer of Qur'ân "Gharaib-ul-Quran" and "Ahkam-ul-Quran", **Imaam Razi**, in his tafseer of Surah Azhab in the book "Tafsir-i-Kabir" **Imaam Baidavi** in his tafseer of Qur'ân "Tafsir-i-Baidavi" and by **Abu Hayyan** in "Al-Bahr-ul-Muhit" and by **Ibn Sa'd Muhammad bin Ka'b Kuradhi** and they have all described the use of jalbaab more or less in the SAME way as the two described by Ibn Abbas (Radhiallaahu Ánhu).)

Also from **Imaam Qurtubi (Rahimahullah)** in his Al-Jamia li Ahkaamul Qur'ân states: "All women are in effect covered by the terms of the verse which embraces the Sharée principle that the whole of a woman is 'Áwrah' (to be concealed) – her face, body and voice, as mentioned previously. It is not permissible to expose those parts except in the case of need, such as the giving of evidence..." ("Al-Jamia li Ahkaamul Qur'ân")

**At-Tabari and Ibn Al-Mundhir** described the method of wearing the Jilbaab according to Ibn Abbaas (Radhiallaahu Ánhu) and Qataadah (Radhiallaahu Ánhu). The sheet should be wrapped around from the top, covering the forehead, then bringing one side of the sheet to **cover the face** below the eyes so that most of the face and the upper body is covered. This will leave both eyes uncovered (which is allowed in necessity) (Rul-ul-Ma'ani, Vol 22, p.89)

**Ibn Kathir (Rahimahullah) said...** "Women must not display any part of their beauty and charms to strangers except what **cannot possibly be concealed.**" (Quoted by Mufti Ibrahim Desi in his article on hijab)

## 7. From The 4 Madhabib (4 Madhabs)

**"Imaam Shaafi, Maalik and Hanbal** hold the view that niqaab (*covering the face and the hands completely with only a small area for the eyes to see*) as being **compulsory (fard)**. Imaam Abu Hanifa says that niqaab is Wajib and the face and hands can be exposed provided that there is not fear of desire if one looks at the female face, otherwise if there is the slightest chance of desire developing in the looker (*the meaning of desire is that the looker would see the female face and think that she is beautiful, sexual thought is not what is meant*) then exposing the face and hands is **Haraam**.<sup>9</sup>

**Shaikh-ul-Islam Ibn Taymiyyah (Rahimahullah)** Relates that the correct opinion for the **Hanbali** and **Malki** madhaib is that it is wajib to cover everything except one or two eyes to see the way. (from the Arabic book "Hijaab wa Safur" under the fatwaa of Ibn Taymiyyah on hijaab, page # 10)

*Shaikh Muhammed Salih Al-Munajjid* Quotes All of the woman is awrah based on the hadeeth of "Rasulullaah (Sallallaahu Álayhi Wasallam) said **"All of a woman is 'awrah."** (Narrated by Tirmidhi with a sahih isnaad). This is the correct view according to the madhhab of the **Hanbalis**, one of the two views of the **Maaliks** and one of the two views of the **Shaafa'is**. (*Quoted in his book of fatwaa and on his web site*)

Jamiatul Ulama Junbi Africa sated that the proper opinion for the **Hanafi madhab** is that "A woman must be properly and thoroughly covered in a loose outer cloak which totally conceals her entire body including her face!" (This from the book Islamic Hijab by Jamiatul Ulama P.12)

Mufti-e-Azam Rasheed Ahmad Ludhyanvi (This opinion is taken to be the correct opinion of the hanafi madhab today) Explained in his tafseer of Surah Al-Ahzaab, Verse #59. "Allaah Ta'ala is telling them that whenever out of necessity they have to go out, they should cover themselves with a large cloak and draw a corner of it over their faces so that they may not be recognised. (From his article "A Detailed, analytical review on the Shar'ee hijab")

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<sup>9</sup> This is from the fatwaa issued by Mufti Anwar Ali Adam Al Mazahiri on 13/9/99. He derived the opinions of the 4 Imaams from these sources Tafseer Ibn Katheer, Tafseer Ma'rifatul Qur'aan, Durre Muhtaar, Fatawa Shami, Al Mabsoot, Fathul Qadeer. And the opinion of Imaam Abu hanifah is directly derived from his statements in the Famous book of hanafi Fiqh Fatwaa Shami

## 8. View of the Well Respected Ulema' of This Ummah

**Ibn Al-Hazam (Rahimahullah)** "In arabic language, the language of the Prophet (saw), the word jilbaab (as mentioned in the Qur'ân Surah Ahzaab ayah # 59) means the outer sheet which covers the entire body. A sheet smaller than that which would cover the entire body, cannot be categorized as jilbaab.(Al-Muhallah, Vol 3. Pg 217)

**Ibn Al-Mandhur (Rahimahullah)** "Jalabib is plural for Jilbaab. Jalbaab is actually the outer sheet/coverlet which a woman wraps around, on top of her garments to cover herself from head to toe. This covers the body entirely." (Lisan ul-Arab, VOL 1. Pg.273)

**Ibn Hajar Al-Asqalanee (Rahimahullah)** A tradition reported on the authority of Aa'ishah (Radhiallaahu Ánha) says: "A woman in a state of Ihram (during Hajj and Umrah) should stretch her head cloth over to her **face to hide it.**" (In Fathul Bari, chapter on Hajj)

**Shaikh-ul-Islam Ibn Taymiyyah (Rahimahullah) relates:** "Women used to room about without Cloaks (Jilbaabs) and men used to see their faces and hands, but when the verse stating 'O Prophet! Tell your wives and your daughters and the women of the believers to draw their cloaks over themselves.' (Surah Al-Ahzaab, Verse #59) was reveled, then this was prohibited and women were ordered to wear the Jilbaab. Then Ibn Tayimiyyah goes on to say "The word Jilbaab means a sheet which Ibn Mas'ud (Radhiallaahu Ánhu) explained as a cloak **covering the entire body including the head, face and hands. Therefore, it is not permissible for the women to reveal the face and hands in public.** (Ibn Taymiyyah's book on fatwaas Page# 110 Vol # 2 also in the book Hijaab Page # 15)

**Imaam Ghazaali (Rahimahullah)** mentions in his famous book of Fiqh Ihyaal Uloom "Woman emerged (during the time of Rasulullah 'Sallallaahu Álayhi Wasallam') with NIQAABS on their Faces."

**Shaikh Abubakar Jassas (Rahimahullah)** states "This verse of Surah Ahzab shows that the young women when going out of their homes are ordered to **cover their faces from strangers (non-mahram men)**, and cover herself up in such a manner that may express modesty and chastity, so that people with evil intentions might not cherish hopes from her". (Ahkum Al-Quran, VOL. III, p.48)

**Qazi Al-Baidavi (Rahimahullah)** "to let down over them a part of their outer garments" means that they should draw a part of their outer garment in front of their face and cover themselves" (Tafsir-I-Baidavi, Vol 4, p.168)

## **9. Arabic words explained by Sahaba and Ulama....**

**Shaikh Ibn Al Hazm (Rahimahullah)** writes: "In the Arabic language of the Prophet, Jalbab is the outer sheet which covers the entire body. A piece of cloth which is too small to cover the entire body could not be called Jalbab." (Al Muhalla, vol. 3, p.217.)

The Tabi'ee, Qatadah (Rahimahullah), stated that the Jilbab should be wrapped and fixed from above the forehead and made to cover the nose, (although the eyes are to show) and the chest and most of the face are to be covered.

Jalabib, which is used in the verse is the plural of Jalbab. "Jalbab, is actually the outer sheet or coverlet which a woman wraps around on top of her garments to cover herself from head to toe. It hides her body completely." Lisan ul Arab vol 1 p. 273. (The best explanation is that it is what we would today call a burqa or an abaya. NOTE: Except in Maldives burgaa is known as a covering of the whole body head to toe)

Ibn Masood (Radhiallaahu Ánhu) explained Jilbab to be a cloak covering the entire body including the face and hands. (fatwaa Ibn Taymiyyah Page #110 Vol. #2)

### **What does Hijab really mean?**

"The root word of hijab is hajaba and that means: (hajb) to veil, cover, screen, shelter, seclude (from), to hide, obscure (from sight), to make imperceptible, invisible, to conceal, to make or form a separation (a woman), to disguise, masked, to conceal, hide, to flee from sight, veil, to veil, conceal, to cover up, become hidden, to be obscured, to vanish, to become invisible, disappear from sight, to veil, to conceal, to withdraw, to elude perception.

- Hajb: seclusion, screening off, keeping away, keeping off,
- Hijab plural: hujub: cover, wrap, drape, a curtain, a woman's veil, screen, partition, folding screen, barrier,
- Ihtijab: Concealment, hiddenness, seclusion, veildness, veiling, purdah.
- Hijab: Concealing, screening, protecting,
- Mahjub: concealed hidden, veiled!

These definitions of the hijab were taken from the: Arabic-English Dictionary, The Hans Wehr dictionary of modern written arabic, edited by JM Cowan.

Even if the niqaab is considered sunnah or not obligatory, the Aalims in this view says that this view is nullified to regarding the condition of the land and the beauty of the women.

It is unknown that the sahabah and especially our ummul mu'mineen uncovered their faces, although different narrations came they differentiated regarding the hukm, waajib or not, as for the act (of covering the faces) there are saheeh narration regarding this, and this is also proof from these.

## CHAPTER TWO

### **A SIMPLE TWIST: TWISTS THE TALE – THE RESPONSES BY THOSE WHO ALLOW TO THOSE WHO DISALLOW**

Main arguments of those who allow have already been mentioned in chapter one, now we need do those who allow (the revealing of face and hands) have any responses defending their position?

The main, in fact, almost all argument above is based on such that the Surah an-Nur ayah 31 was revealed earlier than Surah al-Ahzab ayah 59

#### **1. HISTORICAL ANALYSIS OF THE TWO CHAPTERS**

##### **i. Surah al-Ahzab ayah 59:**

When we analysis the historical circumstances relating Surah an-Nur and Surah al-Ahzab –the bulk of Surah al-Ahzab relates to the Battle of Khandaq, which took place in Shawwal of 5 A.H. As well, ayah 53 of this surah (which commands niqab for Ummahat al-Muminin rAa) is reported by Anas ibn Malik to have been revealed during the walima for the marriage of the Prophet (sAas) to Zaynab bint Jahsh (rAa). This marriage took place in Dhu'l-Qidah of 5 A.H. This ayah (Surah al-Ahzab ayah 53) is generally agreed by the scholars to mark the commencement of the revelation of ayat related to hijab and veiling.

Syed Abu'l-Aala Maududi in his introduction to Surah al-Ahzab has provided a detailed historical background for the surah.

First, here is his commentary on the introduction of hijab or veiling:

Preliminary Commandments of Purdah (niqaab/veil): “The fact that the tales invented by the enemies also became topics of conversation among the Muslims was a clear sign that the element of sensuality in society had crossed all limits. If this malady had not been there, it was not possible that minds would have paid any attention whatever to such absurd and disgusting stories about a righteous and pure person like the Holy Prophet. This was precisely the occasion when the reformative Commandments pertaining to the law of Hijab or Purdah were first enforced in the Islamic society. These reforms were introduced in this Surah and complemented a year later in Surah An-Nur, when a slander was made on the honor of Hadrat Aishah”

Second, here are his notes on which verses he considers to be part of the "law of hijab":

“The discourse contained in vv. 28-35 consists of two parts...In the second part, initial steps were taken towards the social reforms whose need was being felt by the minds moulded in the Islamic pattern themselves. In this regard, reform was started from the house of the Holy Prophet himself and his wives were commanded to avoid behaving and conducting themselves in the ways of the pre Islamic days of ignorance, to remain in their houses with dignity, and to exercise great caution in their conversation with the other men. This was the beginning of the Commandments of Purdah...

In verses 53-55 the second step was taken towards social reform. It consists of the following injunctions: Restriction on the other men to visit the houses of the Holy Prophet's wives; Islamic etiquette concerning visits and invitations; the law that only the near relatives could visit the holy wives in their houses; as for the other men, they could speak to or ask them a thing from behind a curtain; the injunction that the Holy Prophet's wives were forbidden for the Muslims like their mothers; and none could marry any of them after him...

In verse 59 the third step for social reform was taken. All the Muslim women were commanded that they should come out well covered with the outer garments and covering their faces whenever they came out of their houses for a genuine need.”

As you can see, Maududi clearly lists ayah 59 regarding the jilbab to have been revealed some time in or after Dhu'l-Qida 5 A.H. along with the other passages.

You can also see that Maududi holds that the jilbab covers the face, as those who argue that niqab is fard have mentioned.

## **ii. Surah an-Nur ayah 31**

The bulk of this surah deals with the slander of Aisha Umm al-Muminin (rAa), which took place after the expedition against the Bani Mustaliq (this has been narrated by her in hadiths found in both Bukhari and Muslim). The strongest opinion is that this expedition took place in Shaban of 6 A.H.

Maududi again provides detailed information on the historical background of this surah:

“The consensus of opinion is that it was sent down after the Campaign against Bani al-Mustaliq and this is confirmed by vv. 11-20 that deal with the incident of the "Slander", which occurred during that Campaign...Muhammad bin Ishaq says that the Battle of the Trench took



place in Shawwal 5 A. H. and the Campaign against Bani al-Mustaliq in Sha'ban 6 A. H. This opinion is supported by many authentic traditions from **Hadrat Ayesha** and others. According to these traditions, (1) the Commandments about purdah had been sent down in Surah Al-Ahzab before the incident of the "Slander", (2) the Holy Prophet had married Hadrat Zainab in Zil-Qa'dah 5 A. H. after the Battle of the Trench, (3) Hamnah, sister of Hadrat Zainab, had taken a leading part in spreading the "Slander", just because Hadrat Ayesha was a rival of her sister. All this evidence supports the view of Muhammad bin Ishaq...That is why **Ibn Hazm, Ibn Qayyim** and some other eminent scholars have held the opinion of Muhammad bin Ishaq as correct, and we also hold it to be so. Thus, we conclude that Surah Al Ahzab was sent down earlier than Surah An-Nur, which was revealed in the latter half of 6 A. H. several months after Surah Al Ahzab..."

Maududi again asserts that much of Surah al-Ahzab **including ayah 59** was revealed prior to Surah an-Nur:

"This Surah and vv. 28-73 of Surah Al-Ahzab(of which this is the sequel) were sent down to strengthen the moral front, which at that time was the main target of the attack, vv. 28-73 of Al-Ahzab were sent down concerning the Holy Prophet's marriage with Hadrat Zainab, and on the occasion of the second attack (the "Slander" about Hadrat Aishah), Surah An-Nur was sent down to repair the cracks that had appeared in the unity of the Muslim Community. If we keep this in view during the study of the two Surahs, we shall understand the wisdom that underlies the Commandments about purdah. Allah sent the following instructions to strengthen and safeguard the moral front, and to counteract the storm of propaganda that was raised on the occasion of the marriage of Hazrat Zainab:

1. The wives of the Holy Prophet were enjoined to remain within their private quarters, to avoid display of adornments and to be cautious in their talk with other persons (vv. 32, 33).
2. The other Muslims were forbidden to enter the private rooms of the Holy Prophet and instructed to ask whatever they wanted from behind the curtain.(v. 53).
3. A line of demarcation was drawn between the mahram and the non-mahram relatives. Only the former were allowed to enter the private rooms of those wives of the Holy Prophet with whom they were so closely related as to prohibit marriage with them.(v. 55).
4. The Muslims were told that the wives of the Prophet were prohibited for them just like their own real mothers; therefore every Muslim should regard them with the purest of intentions.(vv. 53, 54).
5. The Muslims were warned that they would invite the curse and scourge of Allah if they offended the Holy Prophet. Likewise it

was a heinous sin to attack the honor of or slander any Muslim man or woman.(vv. 57, 58).

6. All the Muslim women were enjoined to cover their faces with their sheets if and when they had to go out of their houses.(v. 59).”

Finally, Maududi discusses various of the passages in Surah an-Nur that were revealed after the affair of the Slander. In his list he includes the following. These commands are taken from Surah an-Nur ayah 31:

Both men and women were instructed to lower their gaze and forbidden to cast glances or make eyes at each other. Women were enjoined to cover their heads and breasts even inside their houses. Women were forbidden to appear with make-up before other men except their servants or such relatives with whom their marriage is prohibited. They were enjoined to hide their make-ups when they went out of their houses, and even forbidden to put on jingling ornaments, while they moved out of their houses.

Maududi and others held that niqab is fard, but if their argument is Surah al-Ahzab ayah 59 and not Surah an-Nur ayah 31 then niqab is **not** fard. The answer is that Maududi followed the opinion of Abdullah ibn Masud (rAa) on Surah an-Nur ayah 31 and held the minority position that this ayah commands the covering of the face and entire body. Since he held this opinion, it would make no difference which of the two ayat was revealed first, or last. This difference of opinion does not mean that the historical information is not valid, since it is actually taken from ibn Ishaq and other sources.

The point is that the historical information provided by ibn Ishaq and others indicates that Surah al-Ahzab ayah 59 was revealed around Dhu'l-Qidah of 5 A.H. while Surah an-Nur ayah 31 was revealed around Shaban of 6 A.H. If this information is correct, then Surah an-Nur ayah 31 must represent the final rule, because it was the last ayah to be revealed about hijab.

## **2. AHADITH IN DEBATE**

### **i. Clarifying the hadith about Fadl ibn Abbas**

Words and questions are not proofs. If someone brings a daleel and you answer it with some questions “it may be this and it maybe that etc” – this is infact baseless. About the hadeeth of Al-Fadl (also mentioned in chapter one) Sahih Bukhari Book 74 #247. Narrated Abdullah bin Abbas: Al-Fadl bin Abbas rode behind the Prophet as his companion rider on the back portion of his she-camel on the Day of Nahr (on the Farewell Hajj), and Al-Fadl was a handsome man. The Prophet stopped to give people verdicts. In the meantime, a beautiful woman from the

tribe of Khath'am came, asking the verdict of Allah's Apostle. Al-Fadl started looking at her as her beauty attracted him. The Prophet looked back while Al-Fadl was looking at her; so the Prophet held out his hand backwards and caught the chin of Al-Fadl and turned his face to the other side in order that he should not gaze at her. She said, "O Allah's Apostle! The obligation of performing hajj enjoined by Allah on His worshipers has become due (compulsory) on my father, who is an old man and who cannot sit firmly on the riding animal. Will it be sufficient that I perform hajj on his behalf?". He said, "Yes".

The argumenet that this “*may be*” before Surah al-Ahzab ayah 59 is invalid and therefore it is not a proof. And the point that she “*may be a mahram*” is not only baseless but filthy as we would never say that Al-Fadl already next to Nabi (sAw) would look with desire at such a close woman with whom he is forbidden to marry (i.e. mahram).

And if “*may be*” is considered as evidence - then *we* can also say “*maybe*” she was a non-mahram. May Allah protect all of us from such baseless arguments.

The point is, the woman of Khath'am was in front of the Prophet (sAas) and Fadl ibn Abbas (rAa), neither of whom is mahram for her, And her face was uncovered. How else could Fadl (rAa) have known that she was "beautiful"? What else was he staring at? That she was in ihram is no excuse because if niqab is fard it would still be obligatory for her to veil her face around the Prophet (sAas) and Fadl (rAa). But she did not do so. She was standing there in front of at least two non-mahram men, and her face was plainly visible to them. And the Prophet (sAas) did not tell her to veil her face. He didn't say to her anything like "don't you know that you're supposed to draw your jilbab over your face around men?". All he did was turn Fadl's head away to stop him from staring.

Only way to interpret this hadith: if the Prophet (sAas) allowed the woman to have an unveiled face, then it is halal, period. Fadl's (rAa) head had to be turned away, because men have been commanded to lower their gazes (Surah an-Nur ayah 30) and he was not doing so. But there is no way that the woman of Khath'am could have gotten away with an unveiled face in front of the Prophet (sAas) unless this is halal.

And this incident took place at the end of 10 A.H., which is long after both Surah al-Ahzab ayah 59 and Surah an-Nur ayah 31 had been revealed. This is enough proof that the final rule is covering the face and the hands is not obligatory.

There are other hadiths that clearly describe women with unveiled faces.

Bukhari Book 54 #515. Narrated Sa'd bin Abu Waqqas: Once Umar asked leave to see Allah's Apostle, in whose company there were some Qurayshi women, who were talking to him and asking him for more financial support, raising their voices. When Umar asked permission to enter, the women quickly screened

themselves (fa badirna al-hijab). When Allah's Apostle admitted Umar, Allah's Apostle was smiling. Umar said, "O Allah's Apostle! May Allah keep you happy always!". Allah's Apostle said, "I am astonished at these women here with me. As soon as they heard your voice, they quickly screened themselves". Umar said, "O Allah's Apostle! You have more right to be feared by them". Then he addressed (the women) saying, "O enemies of yourselves! Do you fear me and not Allah's Apostle?" They replied, "Yes, for you are a fearful and fierce man as compared to Allah's Apostle". On that Allah's Apostle said (to Umar), "By Him in Whose hands my life is, when satan sees you taking a path, he takes a path other than yours"

Here we see that the women were not wearing niqab (i.e., they were not screened) when they were in front of the Prophet (sAas), since they had to screen themselves when Umar (rAa) entered. How could niqab be fard then?? This hadith mentions "some Qurayshi women". The Quraysh of course were the tribe of Makkah, and a state of war existed between the Muslims and the Quraysh until Ramadan of 8 A.H., when the army of the Prophet (sAas) conquered Makkah. It was only at this time that the people of Makkah accepted Islam. Any member of the Quraysh who was a Muslim before this would necessarily have **made hijra**. Since Sa'd ibn Abu Waqqas (rAa) does not say "some emigrant women" but instead says "some Qurayshi women", it seems likely that the women only accepted Islam in Ramadan of 8 A.H. and therefore the incident narrated here takes place at or after that time.

If this information is accepted, then we can note that Ramadan of 8 A.H. is *long* after the revelation of both Surah al-Ahzab ayah 59 *and* Surah an-Nur ayah 31. And yet the women had their faces unveiled in front of the Prophet (sAw).

## ii. Authenticity of the Hadheeth of ‘Aa’ishah

In the book “Jilbaab al-Mar’ah al-Muslimah”, Al-Albani states:

“They<sup>10</sup> have further declared some narrations extremely inauthentic, like the hadeeth of ‘Aa’ishah concerning the woman who reaches puberty, “Nothing should be seen of her besides her face and hands.” They have persistently declared it inauthentic – the ignorant among them blindly following others devoid of knowledge. In so doing, they contradict those among the leading scholars of hadeeth who strengthen it like al-Bayhaqee and ath-Thahabee. Most of them, including some prominent scholars, feign ignorance of its various chains of narration... ..on pages 57-9 of my book two other (authentic) chains: one of which is from Asmaa bint ‘Umayy and the other from Qataadah in the abbreviated (mursal) format with an authentic chain of narration... ..(they ignored) leading hadeeth scholars and others who strengthened it, like al-Munthiree, az-Zayla’ee, al-‘Asqalaanee and ash-Shawkaanee... .. (they) claim that some of its narrations

<sup>10</sup> Those who say that the face veil is waajib, Albani has infact commented very harshly to at-Tuwaijree regarding this matter.

are extremely weak and unreliable in order to escape from the hadeeth science rule that ‘unreliable narrations are strengthened by narrations similar to them’. In doing that, they delude their readers into thinking that no one ruled the weak narrators, like ‘Abdullaah ibn Lahee‘ah, trustworthy and that they cannot be used as supportive evidence. In doing that, they contradict the methodology of the hadeeth scholars in using supportive evidence. Among them is Imaam Ahmad and Ibn Taymiyyah – may Allaah have mercy on them. Likewise, they all feign ignorance that the scholars – among them Imaam ash-Shaafi‘ee –confirm the hadeeth mursal if most scholars use it as evidence, as is the case of ‘Aa’ishah’s hadeeth.”

He also says, “Qataadah stated in his interpretation of the verse on draping, “Allaah has placed on them the requirement to cover the eyebrows,” That is, “and not on their faces” as stated by at-Tabaree. (Also) ‘Aa’ishah said, regarding the female in ihraam, “She may drape the garment on her face, if she wishes.” This was narrated by al-Bayhaqee in an authentic chain of narrators. There is clear evidence in ‘Aa’ishah’s giving the female pilgrim a choice in draping that in her opinion the face was not ‘awrah. Otherwise she would have made it obligatory on them as those who contradict it do.”

### **iii. Weakness Regarding the Narration of ibn Abbas**

And in the same book, “Jilbaab al-Mar’ah al-Muslimah” Albani mentions “For example, the hadeeth of Ibn ‘Abbaas about exposing only one eye is commonly used by those who insist that women are obliged to cover their faces –in spite of their knowledge of its inauthenticity... ..They took this position in spite of the fact that the narration was classified inauthentic by the leading verification experts among the hadeeth scholars like, Imaam Ahmad, al-Bayhaqee and Ibn ‘Abdil-Barr. Al-Qurtubee related that the narration was not considered authentic among the scholars of hadeeth.”

## **3. WHO HOLDS THE STRONGER OPINION?**

This has already become a great confusion among the brothers and especially the sisters. The confusion is that those in the opinion that it is waajib to cover the face and hands brings strong words from the sahabah and ulema and yet those those who say it is not waajib also brings daleels from the same mentioned scholars and sahabah. Confusing??

### **i. Other Opinions of Scholars Clarifying the Majority**

In chapter one in the main argument we have seeing their presentation of Tabari’s opinion but Tabari himself reports that there is a difference of opinion on how to

wear the jilbab. He writes in his summary, "The interpreters have differed in the determination of the style of the wearing of the jalabib which women have been directed to do. Some believe that the correct style would be to hang it in such a way that it covers their faces, and nothing of a woman's body remains visible except one of her eyes. Others believe that women have been directed to secure their jalabib firmly on their foreheads".

Imam ibn Rushd in Bidayat al-Mujtahid, "As for the third issue - that is, the extent to which a woman should cover herself - is concerned, most of the scholars are of the opinion that her whole body, except her face and hands, should be covered".

Imam Qurtubi in his tafsir of Surah al-Ahzab ayah 53, "The consensus of the Muslims is that all of a woman (is awra) except her face and hands, but some disagree about these two". (which means that there is no disagreement except with the hands and face and Muslims ijmaa on this)

Regarding the hadeeth of Jareer in which he said, "I asked Allaah's Messenger about the sudden inadvertent glance and he instructed me to look away." Al-Qaadee 'Iyaad commented, "The scholars, May Allaah Most High have mercy on them, have said that there is proof in this hadeeth that it is not compulsory for a woman to cover her face in the street. Instead, it is a recommended sunnah for her to do so and it is compulsory for the man to lower his gaze from her at all times, except for a legislated purpose. Shaykh Muhyud-deen an-Nawawee mentioned that without further explanation." (see al-bani's Jilbaab al-Mar'ah al-Muslimah)

These and many other reports are not presented by those who argue that niqab is fard, since this would (obviously) weaken their case. And also they have continuously presented the opinions regarding the Surah al-Ahzab ayah 59 but neglected the opinions Surah an-Nur ayah 31.

As we have said above, there are two opinions among the fuqaha on the extent of hijab. The reason for this is that Surah al-Ahzab ayah 59 and Surah an-Nur ayah 31 seem to give conflicting information about the extent of hijab. The former ayah is generally understood to mandate covering the face, while the latter ayah is generally agreed to allow women to display their faces and hands.

- Some fuqaha may hold that Surah al-Ahzab ayah 59 is the final rule (this seems to be the position of Imam ibn Taimiya).
- Some fuqaha may hold that Surah an-Nur ayah 31 is the final rule, but follow the minority position that it does mandate niqab (this seems to be the position of Syed Maududi as mentioned earlier).
- And some fuqaha may hold that Surah an-Nur ayah 31 is the final rule and they also follow the majority position that it allows the display of the face and hands.

## ii. Fiqh of the Four Madh-haba –Final Clarification of the Majority

It is well-known that Imam Abu Hanifa held that women may display their faces and their hands. In fact, he even held that women could display their feet, which is not a position held by any of the other madhhabs, and not by all Hanafi scholars. Imam ibn Taimiya has mentioned the face-hands-and-feet opinion of Imam Abu Hanifa in his *Fatawa an-Nisa* (p. 36); it is also mentioned in *Bidayat al-Mujtahid wa Nihayat al-Muqtasid* by Imam ibn Rushd, which is a guide to the differences of opinion in fiqh; and it has been cited in the major Hanafi fiqh guide *Hidayat al-Muhtadi Sharh Bidayat al-Muhtadi* (commonly referred to as "al-Hidayah") by Burhan al-Din Abul-Hasan `Ali ibn `Abdul-Jalil Abu Bakr al-Marghinani al-Rushdani al-Hanafi. The face-and-hands-alone opinion has been mentioned by the Hanafi scholar Abu Bakr al-Jassas in *Ahkam al-Qur'an* and attributed to Imam Abu Hanifa by Ahmad ibn Naqib in his *Umdat as-Salik*. It is really surprising to me that anybody would claim that Imam Abu Hanifa did not hold this opinion. The opinions of some recent Hanafi scholars that niqab is fard do not change the opinion of Imam Abu Hanifa or of the Hanafi madhhab historically.

A typical presentation of the rules of dress (including hijab) based on the traditional sources of Hanafi fiqh can be found at: *Regulations of Clothing* (<http://www.care-intl.org/islam/libas.html>.) It is clear from reading this that the position of the Hanafi madhhab is that niqab is mustahabb but not fard.

As for Maliki madhhab scholars like Imam ibn Rushd has attributed the face-and-hands position to the Malikis in *Bidayat al-Mujtahid* and this is generally agreed to be the position of the Maliki madhhab (as is mentioned in the essay referred above). As well, the Maliki scholar Imam Qurtubi wrote, "Since the normal case is that a woman's face and hands are revealed by the force of habit and for worship, as this is required in salat and hajj, then it is appropriate to say that the exemption applies to these".

There is some confusion about the position of the Shafi'i madhhab. Imam al-Shafi` himself in his book *Al-Umm* wrote, "All a woman's body is awrah with the exception of her hands and her face. The top of her feet is also awrah". Another Shafi'i scholar is Imam Fakhr ad-Din Razi (d. 606 A.H. which is 1209 C.E.), who wrote, "Since the showing of the face and hands is necessary, the fuqaha had no choice but to agree that they are not awra". However, Ahmad ibn Naqib (d. 765 A.H. which is 1367 C.E.) in *Umdat as-Salik* reports the position of the Shafi'i madhhab in his time to be that niqab is fard and this is the position of other late Shafi'i scholars like ibn Hajar. The best thing to say is that the *early* Shafi'i scholars allowed the display of the face and hands even though the *later* Shafi'i scholars generally have not.

There is also confusion about the position of the Hanbali madhhab. Two opinions are recorded from Imam Ahmad ibn Hanbal. According to one opinion, a woman may display her face (there is a dispute about the hands), while according to the

other opinion niqab is fard. There are in fact Hanbali scholars who have supported the face-and-hands opinion, such as Imam ibn Qudama, who wrote in his fiqh guide al-Mughni, “because necessity demands that the face should be uncovered for buying and selling, and the hands should be uncovered for giving and taking”.

From this we can see that the position of the majority of Hanafi and Maliki scholars is that the face and hands may be displayed, and that even among the Shafi'i and Hanbali scholars, there are some who have held this opinion as well.

Also considering statement like from **Imam ibn Rushd** (1100s C.E. for Imam ibn Rushd) in Bidayat al-Mujtahid, "As for the third issue - that is, the extent to which a woman should cover herself - is concerned, most of the scholars are of the opinion that her whole body, except her face and hands, should be covered" And also **Al-Qaadee 'Iyaad** Regarding the hadeeth of Jareer in which he said, “I asked Allaah’s Messenger about the sudden inadvertent glance and he instructed me to look away.” Al-Qaadee 'Iyaad commented, “The scholars, May Allaah Most High have mercy on them, have said that there is proof in this hadeeth that it is not compulsory for a woman to cover her face in the street. Instead, it is a recommended sunnah for her to do so and it is compulsory for the man to lower his gaze from her at all times, except for a legislated purpose. **Shaykh Muhyudeen an-Nawawee** mentioned that without further explanation (see Jilbaab al-Mar’ah al-Muslimah)” All these statements including Ibn Muflih, an-Nawawee, al-Qaadee 'Iyaad and other Palestinian scholars, as well as the majority of scholars shows that the majority position in their time was that the face and the hands may be displayed.

Furthermore as a conclusion one can refer to an edited translation of a summary of al-Albani’s “*ar-Radd al-Mufhim*” by Bilal Philips:

[http://alhidaayah.net/books/The\\_Face\\_Veil.zip](http://alhidaayah.net/books/The_Face_Veil.zip)



## CHAPTER THREE

### **THE DESTRUCTIVE LANGUAGE BROUGHT BY THOSE WHO CLAIM TO UPHOLD THE “BANNER OF SUNNAH”**

#### **EXPOSING THE MODERN SALAFEE TRICK:**

It is very common today those women who wear niqaab are harassed not only by kafirs or clear opponents of deen, but also by those who claim to uphold the banner of sunnah!!!! As we can see in their argue against the niqaab, rather than stating “*niqaab is not obligatory*” they bring about harsh words such as “*it is not from the sunnah*”, “it is bad for dawah”, that “*it is extremism or fitnah*”.

This extremism has gone beyond bounds now that they have started convincing and forcing the sisters who have covered their faces to uncover!! Sister-hood circles have now become circles of debate and partition ship. Love for sunnah has turned hate for sunnah. Love for Dawah has turned to love for kufr. Love for Allah has turned to love for men.

*“Niqaab is only for very beautiful women, the niqaab is counterproductive to daw'ah, the niqaab is a product of a male-dominated society and a symbol of oppression of women; or that is how the West views it and we should not perpetuate their fears. The niqaab is too extreme these societies and projects the wrong image. The niqaab is not necessary in today's world. Niqaab is a cultural tradition, not an Islamic one.”*

This has become a daily song chanted with ignorance and extreme cowardice through out ummah.

What have they learnt from their *shuyookh*? Is this what their *shuyookh* thought them by saying that *niqaab* is not obligatory? What right (*haqq*) do they have to decide, what **no** scholar of this ummah has ever done, neither from the *salaf* nor the *khalaf* (which they claim to follow)?

Did the scholars from the *salaf* or let alone the latter like Albani ever mention to remove some ones niqaab? Or to fight and bark for its removal? Go back for your own book of adab (manners) –for surely you don’t have manners.

What the scholars have said, in short, is that the *hukm* that it is obligatory (waajib) cannot be established. They have never said that “*you should remove your niqaab*” or anything like that. And even Albani, whom they say they follow, have said that it is Mustahab (highly recommended) especially in times of *fitnah*. (refer to his book, “*Jilbaabul Mar'atul Muslimah*”). He have also mentioned that it is valid to say that it is obligatory in some conditions (fear of harm to the individual woman), he says

“Among the amazing practices of some latter day blind following hanafite scholars and others is that on one hand they agree with us regarding the permissibility of women exposing their faces, because that was the position of their Imaams, but on the other hand they agree with the extremists in opposition to their Imaams. They make ijtihaad (while claiming taqleed) by adding the condition that the society be safe from *fitnah* to the position of the Imaams. This refers to the *fitnah* caused by women to men. Then one of the ignorant contemporary blind followers went to the extreme of actually attributing this “condition” to the Imaams themselves. Among some of those having no knowledge, this resulted in their concluding that there is essentially no difference between the position of the Imaams and the extremists.

It is obvious to jurists that this condition is invalid because it implies that humans know something which the Lord missed knowing. That is, the temptation of women did not exist during the time of the Prophet (sAw) thus we had to create a special ruling for it which did not exist previously. In fact, the *fitnah* did exist during the era of divine legislation and the story of al-Fadl ibn ‘Abbaas’ trial with the Khath‘amiyyah woman and his repeated looking at her is not far from the readers’ memories.

It is well known that when Allaah Most High instructed men and women to lower their gazes and instructed women to veil themselves in front of men, He did that to block the road to corruption and prevent temptation. In spite of that, He – Most Great and Glorious – did not command that they cover their faces and hands in front of them. The Prophet (sAw) further emphasized that in the story of al-Fadl by not commanding the woman to cover her face. And Allaah was truthful when He said,

**"And your Lord is not forgetful"**

The reality is that the condition of there not being *fitnah* was only mentioned by scholars regarding the man’s looking at the woman’s face, as in *al-Fiqh ‘alaa al-mathaahib al-arba‘ah*, page 12. They said, **“That [the woman’s face may be uncovered] is permissible on condition that there is safety from temptation,”** and *that is true*, contrary to what the blind followers practice. They conclude from it that the woman is obliged to cover her face, when in fact it is not a necessary consequence. They know that the condition of safety from temptation also applies to women. For it is not permissible for them to stare at a man’s face except where there is safety from temptation. Is it then a necessary consequence that men also veil their faces from women to prevent temptation as some tribes called the “Tawareg” do.

They would have a basis in fiqh of the Quraan and Sunnah if they said that a woman veiled in correct jilbaab who fears being harmed by some corrupt individuals due to her face being exposed is obliged to cover her face to prevent harm and temptation. In fact, it could even be said that it is obligatory on her not

to leave her home if she feared that some evil authorities supported by a leader who does not rule by what Allaah revealed, as exists in some Arab countries since a few years ago, would pull her jilbaab from her head. As to making this obligation a compulsory law for all women everywhere and in all eras, even if there did not exist any harm for veiled women, No. Absolutely not. Allaah was truthful when He said,

**"Do they have partners who legislated for them in the religion what Allaah did not permit??"** ” (from his book *Jilbaabul Mar'atul Muslimah*)

Let us also see what ibn Utheymeen a contemporary scholar says about niqaab,

"The Islamic hijab is for the women to cover everything that is forbidden for her to expose. That is, she covers everything that she must cover.

"The first of those bodily parts that she must cover is her face. It is the source of temptation and the source of people desiring her. Therefore, the woman must cover her face in front of those men that are not Mahram (i.e. father, husband, etc.)."

"As for those who claim that Islamic hijab is to cover the head, shoulders, back, feet, shin and forearms while allowing her to uncover her face and hands, this is a very amazing claim. This is because it is well-known that the source of temptation and looking is the face. How can one say that the Shariah does not allow the exposure of the foot of the woman while it allows her to uncover her face?

"It is not possible that there could be in the Esteemed, Wise and Noble Shariah a contradiction. Yet everyone knows that the temptation from uncovering the face is much greater than the temptation that results from the uncovering of the feet. Everyone also knows that the most sought after aspect of the woman for men is the face. If you told a prospective groom that a woman's face is ugly but her feet are beautiful, he would not propose to such a woman.

"However, if you told him that her face was beautiful but her hands, palms, or shins were less than beautiful, he would still propose to her. From this one can conclude that the face is the first thing that must be covered.

"There are also evidences from the Book of Allah (SWT) and the Sunnah of our Prophet (sallallaahu alayhi wasallam) . There are also statements from the Companions, the leading Imams and the great scholars of Islam that indicate that it is obligatory for the woman to cover all of her body in the presence of non-Mahram men. This obviously indicates that it is obligatory upon the woman to cover her face in front of such men."

It is well known that ibn Utheymeen and Ibn Baz declares niqaab to be obligatory, and if there proof is as mentioned above in ibn Utheymeens fatawa (making fitnah the condition

of it been obligatory) then Albani's argument is much strong (who says): "...*They would have a basis in fiqh of the Quraan and Sunnah if they said that a woman veiled in correct jilbaab who fears being harmed by some corrupt individuals due to her face being exposed is obliged to cover her face to prevent harm and temptation. In fact, it could even be said that it is obligatory on her not to leave her home... ..*"

So we know that some thing which is not generally regarded as obligatory might become obligatory in specific situation. So if something becomes obligatory in specific situation we cannot say as a general law that it is obligatory. Likewise we cannot point to specific individuals (who wear niqaab) and rule or convince by the general rule that it is not obligatory. This deals extensively in the *usool ul fiqh* and we advice these individuals who are well known of their "knowledge" in Arabic to check on their word and actions.

What we presented is what the *ulema* have understood, and this is what they have debated on, they have **never** debated to convince the muslima from unveiling the face or hand! In fact most of the ulema who have said that it is not waajib is an example for us that they have **never** discouraged it (niqaab), because their wives were veiled. So we can see that their only argument was limited to the hukum of obligation (waajib). And what these individuals are doing (supporting unveiling and propagating that veiling is *baatil*) in the name of these *ulema* ...nay in fact in the name of this *deen* is **against** the *salafussaliheen* including the *sahabah*, *tabieen* and *tabatabieen* and the righteous *Imaams* and *Ulemah* of this *Ummah*. (may Allah Curse be upon this *baatil* Dawah).

*"...he who called to misguidance (dalaalah) he shall have to carry the sins of those who committed it, without their sins being diminished in any respect."* (MUSLIM [no.6470])

It is wrong to claim the truth without having properly verified whether the matter actually is the truth, Allah revealed the truth and it would be lying about Allah to make this claim. Their rigid personality unable them to see the vast oceans of Islam that Allah has placed elsewhere. A worse condition is when they turn away from the truth when it comes to them but are happy to stay with the view of ignorance based on *kibr*. **"And who can be more unjust than he who invents a lie against Allah or says 'I have received inspiration' whereas he is not inspired in anything and who says 'I will reveal the like of what Allah has revealed' And if you could but see when the zaalimoon are in the agonies of death, while the angels are stretching forth their hands saying: 'Deliver your souls, this day you shall be recompensed with the torment of degradation because of what you used to utter against Allah other than the truth. And you used to reject His ayaat with arrogance.'"** (al Ana'm 6:93)

وصلی اللہ وسلم علی نبینا محمد وعلی آلہ وأصحابہ أجمعین